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**REVOCATION OF POWER OF  
ATTORNEY WITH  
NEW POWER OF ATTORNEY  
AND  
CHANGE OF CORRESPONDENCE ADDRESS**

Application Number	10/621,170
Filing Date	July 16, 2003
First Named Inventor	John Hebrank
Art Unit	2877
Examiner Name	Roy M. Punnoose
Attorney Docket Number	EMBR-5175-150 Renumbered PC19679A

I hereby revoke all previous powers of attorney given in the above-identified application.

A Power of Attorney is submitted herewith.

OR

23913

I hereby appoint the practitioners associated with the Customer Number:

Please change the Correspondence Address for the above-identified patent application to:

The address associated with  
Customer Number : 23913

OR

Firm or  
Individual Name

Address

City

State

Zip

Country

Telephone

Email

I am the:

- Applicant/Inventor  
 Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

**SIGNATURE of Applicant or Assignee of Record**

Signature

Name **Grover F. Fuller Jr.**  
Assistant Secretary

Date **5-30-08**

Telephone **212-573-1390**

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

\*Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



PTO/SB/96 (01-08)

Approved for use through 01/31/2008. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: John HebrankApplication No./Patent No.: 10/621,170 Filed/Issue Date: July 16, 2003

Entitled: SYSTEMS AND METHODS FOR RAPIDLY AND ACCURATELY IDENTIFYING LIVE EGGS WITHIN A STREAM OF EGGS

Embrex, Inc., a Corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or
2.  an assignee of less than the entire right, title and interest  
(The extent (by percentage) of its ownership interest is \_\_\_\_\_ %)

in the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 014627, Frame 0547, or for which a copy thereof is attached.

**OR**

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
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Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached. Additional documents in the chain of title are listed on a supplemental sheet. As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned, whose title is supplied below, is authorized to act on behalf of the assignee.

Signature

5-30-08

Date

Grover F. Fuller Jr., Reg. No. 31,760

(212) 573-1390

Printed or Typed Name

Telephone Number

Assistant Secretary

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*



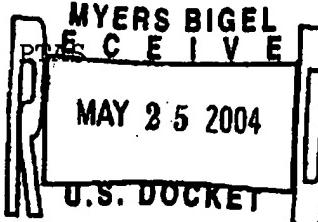
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UNITED STATES PATENT AND TRADEMARK OFFICE PC19679

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAY 19, 2004

MYERS BIGEL SIBLEY & SAJOVEC  
NEEDHAM JAMES BODDIE, II  
P.O. BOX 37428  
RALEIGH, NC 27627



\*102586268A\*

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RECORDATION DATE: 10/27/2003

REEL/FRAME: 014627/0547  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNEE:

HEBRANK, JOHN H.

DOC DATE: 07/29/2003

ASSIGNEE:

BRYAN, THOMAS

DOC DATE: 07/29/2003

ASSIGNEE:

EMBREX, INC.  
1040 SWABIA COURT  
DURHAM, NORTH CAROLINA 27703

SERIAL NUMBER: 10621170

FILING DATE: 07/16/2003

PATENT NUMBER:

ISSUE DATE:

TITLE: SYSTEMS AND METHODS FOR RAPIDLY AND ACCURATELY IDENTIFYING LIVE  
EGGS WITHIN A STREAM OF EGGS

DOCKET NUMBER: 5175-150

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SHAREILL COLES, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



10-29-2003

EET Patents Only

To the Honorable Comm

102586268

Please record the attached original documents or copy thereof.

Date: October 23, 2003  
Attorney Docket No. 5175-150  
**10-27-03**

## 1. Name of conveying party(ies):

John H. Hebrank  
Thomas BryanAdditional name(s) of conveying party(ies) attached? Yes  No

## 3. Nature of conveyance:

- Assignment  
 Merger  
 Security Agreement  
 Change of Name  
 Other \_\_\_\_\_

Execution Date: July 29, 2003 and July 29, 2003

## 2. Name and address of receiving party(ies):

Embrex, Inc.  
1040 Swabia Court  
Durham, North Carolina 27703OFFICE OF PUBLIC RECORDS  
2003 OCT 27 PM 2:47  
FINANCIAL SECTIONAdditional name(s) & address(es) attached? Yes  No4. Application Serial No. 10/621,170 Patent No. \_\_\_\_\_

If this document is being filed together with a new application, the execution date of the application is:

Additional numbers attached? Yes  No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Needham James Boddie, II  
Myers Bigel Sibley & Sajovec  
P. O. Box 37428  
Raleigh NC 276276. Total number of applications and patents involved: 17. Total fee (37 CFR 3.41) \$ 40.00

- Enclosed  
 Authorized to be charged to deposit account

8. Deposit account number: 50-0220

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## 9. Statement and signature

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

Needham James Boddie, II, #40,519

Name of Person Signing

Signature

October 23, 2003

Date

Total number of pages including cover sheet, attachments and document: 3

10/29/2003 6TON11 00000034 10621170

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40.00 DP

**ASSIGNMENT**

THIS ASSIGNMENT, made by us, **John H. Hebrank**, a citizen of the United States of America, residing at 216 Jefferson Drive, Durham, North Carolina 27712; and **Thomas Bryan**, a citizen of the United States of America, residing at 511 Franklin Street, Raleigh, North Carolina 27604;

WITNESSETH: That,

WHEREAS, we are joint inventors of certain new and useful improvements in **SYSTEMS AND METHODS FOR RAPIDLY AND ACCURATELY IDENTIFYING LIVE EGGS WITHIN A STREAM OF EGGS** for which an application for United States Letters Patent has been filed on July 16, 2003 as Application No. 10/621,170. (We hereby authorize Myers Bigel Sibley & Sajovec to insert application number when known); and

WHEREAS, **Embrex, Inc.**, a North Carolina corporation, having a principal place of business at 1040 Swabia Court, Post Office Box 13989, County of Durham, City of Research Triangle Park, State of North Carolina, 27709, hereinafter referred to as assignee, is desirous of acquiring the entire right, title and interest in and to said invention as described in said application, and in and to any and all Letters Patent which shall be granted therefor in the United States of America and all foreign countries;

NOW, THEREFORE, To Whom It May Concern, be it known that for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we have sold and by these presents do hereby sell, assign, transfer, and convey unto the said assignee, its successors and assigns, the entire right, title, and interest in and to the said invention and application, and in and to any and all continuations, continuations-in-part, or divisions thereof, and in and to any and all Letters Patent of the United States of America and all foreign countries or reissues or other forms of protection thereof which may be granted therefor or thereon, for the full end of the term for which said Letters Patent may be granted along with any term extensions thereon or therefor, together with the right to claim the priority of said application in all foreign countries in accordance with the International Convention, the same to be held and enjoyed by said assignee, its successors and assigns, as fully and entirely as the same would have been held and enjoyed by us if this assignment and sale had not been made.

We hereby request that said Letters Patent be issued in accordance with this assignment.

We further covenant and agree that, at the time of the execution and delivery of these presents, we possess full title to the invention and application above-mentioned, and that we have the unencumbered right and authority to make this assignment.

We further covenant and agree to promptly communicate to said assignee or its representatives any facts known to us relating to said invention, to testify in any interference or legal proceedings involving said invention, to execute any additional papers which may be requested to confirm the right of the assignee, its representatives, successors, or assigns to secure patent or similar protection for the said invention in all countries and to vest in the assignee complete title to the said invention and Letters Patent, without further compensation, but at the expense of said assignee, its successors, assigns, and other legal representatives; and we hereby instruct, and further covenant and agree to bind our heirs, legal representatives, and assigns, to do same, without further compensation, but at the expense of said assignee or its representatives.

John H Hebrank  
John H. Hebrank

7/29/03  
Date

Thomas Bryan  
Thomas Bryan

7/29/03  
Date